



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,432	02/10/2004	Junichiro Sakata	740756-2713	1672
22204	7590	08/02/2006	EXAMINER	
NIXON PEABODY, LLP 401 9TH STREET, NW SUITE 900 WASHINGTON, DC 20004-2128			LEE, CHEUNG	
			ART UNIT	PAPER NUMBER
			2812	

DATE MAILED: 08/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

cen

Office Action Summary

Application No.

10/774,432

Applicant(s)

SAKATA ET AL.

Examiner

Cheung Lee

Art Unit

2812

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 17-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-20, 23-26, 29, 30, 32 and 33 is/are allowed.
- 6) ☒ Claim(s) 21, 22, 27 and 28 is/are rejected.
- 7) ☒ Claim(s) 31 and 34 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Notice to Applicant

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicants' submission filed on May 10, 2006 has been entered.

Response to Amendment

2. In view of applicants' amendments and arguments filed on May 10, 2006, the rejections of claims 17-28 under 35 U.S.C. 103(a) as stated in the indicated Office Action have been withdrawn. Applicants' arguments have been rendered moot in view of the new or modified ground of rejection given below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

Art Unit: 2812

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 21-22 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamazaki et al. (US Pub. 2002/0024051; hereinafter "Yamazaki") in view of Takacs et al. (US Pat. 6244212; hereinafter "Takacs").

4. Referring to figures 1A-10C and related text, Yamazaki discloses a method for manufacturing a semiconductor device comprising: depositing [Re claim 21] a film 14, and [Re claim 27] an EL material 16 over a substrate 11, but Yamazaki fails to disclose expressly reciprocating an evaporation source in the X direction while moving the substrate in the Y direction at a constant speed.

Referring to figures 1-3 and related text, Takacs discloses an evaporator 42 reciprocating in one direction while moving a substrate 70 in another direction, which is perpendicular to the direction of travel of the evaporator, at a constant speed (col. 4, lines 39-53).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the method of deposition, as taught by Takacs, because it would have been to obtain highly uniform film deposition (col. 2, lines 36-43).

5. Yamazaki discloses [Re claims 22 and 28] wherein the semiconductor device is incorporated into an electronic apparatus selected from the group consisting of a video camera, a digital camera, a goggle display, a navigation system, an audio reproducing apparatus, a laptop computer, a game machine, a mobile computer, a cellular phone, a portable game machine, an electronic book, and an image reproducing apparatus (page 15, paragraphs 276-277; see figs. 24A-25B).

Allowable Subject Matter

6. Claims 31 and 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: claims 31 and 34 recite the evaporation source includes at least two crucibles arranged in the X direction. This feature in combination with the other elements of the claims is neither disclosed nor suggested by the prior art of record.

7. Claims 17-20, 23-26, 29-30 and 32-33 allowed.

The following is an examiner's statement of reasons for allowance: claims 17 and 23 recite moving a first evaporation source and a second evaporation source in an X direction, wherein the first evaporation source and the second evaporation source are provided in a same chamber in which the film is deposited. Claims 19 and 25 recite making a movement speed of a first evaporation source in an X direction and a movement speed of a second evaporation source in the X direction different, wherein

Art Unit: 2812

the first evaporation source and the second evaporation source are provided in a same chamber in which the film is deposited. These features in combination with the other elements of the claims are neither disclosed nor suggested by the prior art of record.

Claims 18, 20, 24, 26, 29-30 and 32-33 variously depend from claims 17, 23, 19 or 25, so they are allowed for the same reason.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheung Lee whose telephone number is 571-272-5977. The examiner can normally be reached on Monday through Friday from 8:30AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Lebentritt can be reached on 571-272-1873. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2812

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Cheung Lee

July 21, 2006



MICHAEL LEBENTRITT
SUPERVISORY PATENT EXAMINER